

**REMARKS**

Claims 1 and 3-24 are pending, of which Claims 15-25 have been withdrawn from consideration.

**Response to Claim Rejections Under § 103**

Claims 1, 3, 4, and 6-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brym in view of Zhang et al.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brym in view of Zhang et al as applied to claim 4 above, and further in view of Burns et al.

Applicants respectfully traverse.

The present claims relate to a method for removing mercury from a fluid stream, comprising the steps of: providing a composite material comprising a substrate and catalyst particles; and contacting a fluid stream with said composite, wherein said composite adsorbs and/or oxidizes said mercury. Further, the catalyst particles are dispersed in the substrate. In this regard, Applicants disclose at paragraph [27] that the composite material preferably consists of a high surface area substrate material, for example, a silica-gel impregnated with photocatalyst particles, such as  $\text{TiO}_2$ , thereby forming a  $\text{SiO}_2$ - $\text{TiO}_2$  composite gel. In other words, according to the present invention, the catalyst is within the substrate matrix where it cannot be attrited.

In addition, as demonstrated by Working Example 1 of the present specification, a silica-titania composite is formed wherein  $\text{TiO}_2$  was well distributed in the  $\text{SiO}_2$  matrix, forming chemical bonds with the silica matrix. Accordingly, a new “composite” material is created, consisting of silica-titania bonds. In this regard, Applicants disclose at paragraph [31] that the silica-titania composites are made by a sol-gel method using nitric acid and hydrofluoric acid as

catalysts to increase the hydrolysis and condensation rates, thereby decreasing the gelation time. Applicants further disclose that in preparing the silica-titania composite, a known mass of Degussa (Dusseldorf, Germany) P25  $\text{TiO}_2$  is added to a batch and a magnetic stir plate is used to provide sufficient mixing, while care is taken to insure that the  $\text{TiO}_2$  is well dispersed in the sol and that the homogeneous distribution of  $\text{TiO}_2$  is maintained throughout the gelation process. In other words, according to the present invention,  $\text{TiO}_2$  is homogeneously mixed into a liquid substrate, wherein the homogeneous mixture is maintained while the composite hardens. Thus, a composite material is formed wherein the catalyst materials are dispersed in the substrate, as presently claimed.

In contrast, Brym discloses a means of removing mercury from a fluid stream wherein the filter means includes multiple compartments with purification media therein with two of the compartments including plates coated with a photoactivated catalyst (e.g., titanium oxide). *See*, col. 6, line 66 and Abstract. Brym further discloses that the plates are preferably glass or ceramic plates. *See*, col. 8, lines 48-49. Thus, the  $\text{TiO}_2$  of Brym is on the surface of the substrate and could be easily attrited.

The Examiner takes the position that Zhang discloses at col. 10, lines 32-51, a process that produces  $\text{TiO}_2$  photocatalyst particles dispersed in a silica gel substrate. Applicants respectfully disagree.

Zhang discloses at col. 10, lines 32-51, a method for preparing a photocatalyst supported on adsorbent support material, whereby a solution comprising titanium isopropoxide (TIP) is admixed with an adsorbent support material for a period sufficient to coat the support material with a desired amount of TIP, and the coated support material is placed in a humid environment for a period sufficient to hydrolyze the TIP onto the support material (e.g., the admixed

TIP/support material can be periodically agitated or mixed during a period of about 24 hours, and the coated support material may then be placed in a humid environment for about 48 hours to hydrolyze the TIP onto the support material).

Similarly, Zhang discloses at col. 5, lines 30-31 and col. 10, lines 3-11, a method for preparing a photocatalyst affixed to a particulate support material, whereby an aqueous slurry of photocatalyst particles is admixed with a particulate support material for a period sufficient to coat the outer surface of the support material with a desired amount of the photocatalyst. Thus, the TiO<sub>2</sub> of Zhang is on the surface of the substrate and could be easily attrited.

Applicants respectfully submit that one of ordinary skill in the art, upon reading Zhang would not arrive at a composite material wherein the catalyst particles are dispersed in the substrate, as presently claimed.

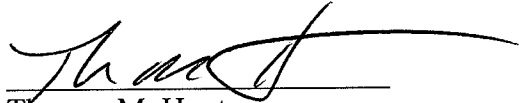
Burns fails to make up for the deficiencies of Brym and Zhang discussed above.

Accordingly, Brym, Zhang and Burns fail to anticipate or render obvious the present claims. Withdrawal of the rejections is respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Thomas M. Hunter  
Registration No. 64,676

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: July 24, 2009